

Brett L. Gibbs, Esq. (SBN 251000)
Steele Hansmeier PLLC.
38 Miller Avenue, #263
Mill Valley, CA 94941
415-341-5318
blgibbs@wefightpiracy.com

Attorney for Plaintiff

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

MCGIP, LLC,

Plaintiff,

v.

DOES 1-18,

Defendants.

No. CV-11-01495 (EMC)

[PROPOSED] ORDER

**ORDER GRANTING PLAINTIFF'S MOTION FOR LEAVE TO TAKE DISCOVERY
PRIOR TO RULE 26(f) CONFERENCE**

The Court has reviewed the Complaint with attached an Exhibit A, Plaintiff's Memorandum or Law in Support of its *Ex Parte* Motions for Leave to to Take Discovery Prior to Rule 26(f) Conference and all the papers filed in connection with the motion, and relevant case law. Accordingly, it is hereby

ORDERED that Plaintiff's *Ex Parte* Motion for Leave to Take Discovery Prior to Rule 26(f) Conference is GRANTED; it is further

ORDERED that Plaintiff may immediately serve Rule 45 subpoenas, which are limited to the following categories of entities and information:

From each and every Internet Service Providers (ISPs) identified in the Exhibit A attached to the Complaint, as well as any other entity later identified, as a

1 provider of Internet services to one of the Doe Defendants in response to a
 2 subpoena or as a result of ongoing BitTorrent activity monitoring: all
 3 information sufficient to identify each Defendant based on supplied IP
 4 addresses, including name, current (and permanent) address, telephone number,
 5 e-mail address, and Media Access Control address; it is further

6 ORDERED any information disclosed to the Plaintiff in response to a Rule 45 subpoena may
 7 be used by the Plaintiff solely for the purpose of protecting Plaintiff's rights as set forth in its
 8 Complaint; it is further

9 ORDERED that Plaintiff and any entity which receives a subpoena shall confer, if necessary,
 10 with respect to the issue of payment for the information requested in the subpoena or for resolution
 11 of IP addresses which are not controlled by such entity, duplicate IP addresses that resolve to the
 12 same individual, other IP addresses that do not provide the name and other information requested of
 13 a unique individual, or for the entity's internal costs to notify its customers; it is further

14 ORDERED that any entity which receives a subpoena and elects to charge for the costs of
 15 production shall provide a billing summary and any cost reports that serve as a basis for such billing
 16 summary and any costs claimed by such entity; it is further

17 ORDERED that Plaintiff shall serve a copy of this Order along with any subpoenas issued
 18 pursuant to this Order to the necessary entities; it is further

19 ORDERED that if any entity subpoenaed pursuant to this Order wishes to move to quash the
 20 subpoena, it must do so before the return date of the subpoena, which shall be 30 days from the date
 21 of service; and

22 Finally, it is ORDERED that the subpoenaed entity shall preserve any subpoenaed
 23 information pending the resolution of any timely-filed motion to quash.
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 27 DATED: _____

United States District Court Judge